

## NOTICE OF MOTION AND

MOTION TO STRIKE: 28 U.S.C. 1654; and,

International Covenant on Civil and Political Rights  
Case No. # 2:14-CR-00027-NDF-2 [sic] ("ICCPR")FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING  
2014 JUN 16 PM 2 44

("SEALED")

Margin

Notes:

TO: Chief Judge (duly credentialed)  
U.S. District Court (cf. 18 U.S.C. 6004(c))  
2120 Capitol Ave., 2<sup>nd</sup> Floor  
Cheyenne 82001STEPHAN HARRIS, CLERK  
CHEYENNE2120 Capitol Ave., 2<sup>nd</sup> Floor

Cheyenne 82001

RE: false arrest,

Wyoming, USA

false imprisonment,

DATE: June 5, 2014 A.D. ✓ fraudulent concealment

The Undersigned appears personally under 28 USC 1654.The Court is hereby moved to strike

the following items from the record:

(1) government MOTION requesting ORDER  
authorizing a "psychological evaluation";(2) "ORDER" allegedly authorizing a [second]  
"psychological evaluation"; and,(3) report by Dr. C. Law dba forensic  
psychologist at FDC SeaTac (Seattle/Tacoma)Justification:Item (1) above was never served upon  
the Undersigned, who has always appearedin Propria Persona, and was never legally  
"represented" by any licensed attorney(s).No notice of any such MOTION, and no  
notice of any hearing(s) on any such MOTION,  
were ever served upon him. And, no  
hearing on any such MOTION was ever  
conducted in the presence of the Undersigned.NOT "by  
counsel"  
i.e. NOT  
represented)

28 USC 1691

cf. Black's  
Law  
Dictionary,  
6<sup>th</sup> Edition

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Item (2) above suffers from the same deficiencies as Item (1) above i.e.

no MOTION, no notice of MOTION, and no notice of hearing were ever served on the Undersigned; and, no hearing was ever conducted with the Undersigned being present. Moreover, Item (2) bore a

stamp exhibiting the name "STEPHAN HARRIS".

The latter has refused to produce any credentials for at least six (6) YEARS, and has now been charged with violating 18 U.S.C. 1519 (concealing Court records).

As such, Item (2) was fraudulent ab initio for violating due process of law.

Item (3) was written without a lawful ORDER authorizing any "psychological evaluation" of the Undersigned. Moreover, he provided Dr. Low with three (3)

court cases which held, as a group, that:

(a) the Undersigned had a Right to assistance of counsel during all interviews;

(b) Dr. Low was required to inform him of that Right before interviews began;

(c) Dr. Low was required to inform him

that his statements during interviews

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1 CCPR;  
28 USC 1691  
(signature  
and seal)

18 USC 1519;

5 USC 2906

("court")

5<sup>th</sup> Amend.

6<sup>th</sup> Amend.

5<sup>th</sup> Amend.

5<sup>th</sup> Amend.

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5<sup>th</sup> Amend.

were not protected by physician-patient confidentiality, nor by attorney-client confidentiality or attorney-client privilege; (d) Dr. Law was required to inform him that her "report" would be conveyed to the prosecution; and,

(e) all interviews needed to be tape-recorded, but none were tape-recorded!

In all respects (a) thru (e) above, the so-called "psychological evaluation" and related "report" both failed all requirements imposed by the guarantees in the Fifth and Sixth Amendments, read: the Undersigned's Fundamental Rights, none of which he has ever waived.

If Mr. Mark C. Harder was considered the Undersigned's "stand-by counsel" (or his "legal representative") when Dr. Law's interviews were conducted, Mr. Harder was NOT present during ANY of those interviews!!

Neither Dr. Law, nor the Staff Psychiatrist at FDC Seatac, ever asked the Undersigned if he wished to wave the assistance of counsel during those interviews.

As such, Items (1), (2), and (3) all violated the long-standing requirement for Miranda Warnings. See Miranda v. Arizona: - 3 of 4 - re: rights secured.

Fifth  
Amend.;  
Sixth  
Amend.

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Margin  
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Statements made by the Undersigned to Dr. Law were made under duress of unlawful arrest and unlawful incarceration; as such, his statements under duress did NOT constitute competent waivers of any fundamental Rights.

See Brady v. U.S. (re: high standard established for waivers of fundamental Rights, such as those guaranteed by the Fifth and Sixth Amendments).

- REMEDY -

This Court should strike from its official records the MOTION requesting, and the "ORDER" allegedly authorizing, a "psychological evaluation", and the report prepared by Dr. C. Law in connection with interviews conducted at FDL SeaTac without proper Miranda Warnings, and without adequate technical assistance of counsel, to the Undersigned --

cf. ICCPR; who consistently reserves all Rights without prejudice.

28 USC 1654; Respectfully submitted June 5, 2014 A.D.  
VCC 1-308

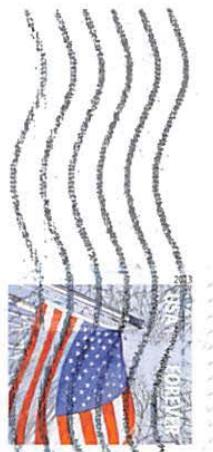
Signed: Paul Andrew Mitchell

Printed: Paul Andrew Mitchell, B.A., M.S. (chosen name\*)  
Relator In Propria Persona, 28 U.S.C. 1654  
- 4 of 4 - All Rights Reserved (cf. VCC 1-308, ICCPR)

\* See Doer. Dunning, Wash. State Supreme Court

ANNMATE NAME: MODEL ESKEL, M.P. (given name)  
SCOTTS BLUFF COUNTY DETENTION CENTER  
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GERING, NE 69341-0130

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13 JUN 2014 PM 1 T



SBCDC Disclaims Any Responsibility For  
The Nature of the Content of this Correspondence

Re: 2:14-cr-00027-NDF-2

All Rights Reserved  
(cf. sec 1-308)

To: Office of Clerk of Court  
U.S. District Court  
2100 Capital Ave., 2nd Floor  
Cheney, WY 82001  
Attn: VSP  
82001

B20013365B





